

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

UNITED STATES OF AMERICA,	)	CIVIL ACTION NO. 3:11-2484-JFA
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
\$36,416.79 SEIZED FROM BANK	)	
ACCOUNT X301, IN THE NAME OF	)	
N & N, INC., d/b/a WITH FIRST	)	
CITIZENS BANK AND TRUST,	)	
	)	
Defendant <i>In Rem</i> .	)	

ORDER GRANTING DEFAULT JUDGMENT,  
AND GRANTING JUDGMENT AND FINAL DECREE OF FORFEITURE

This *in rem* forfeiture action was initiated through a complaint for forfeiture *in rem* filed by the United States on September 16, 2011. It concerns \$36,416.79 in funds (the "Defendant Funds"), which were seized on April 22, 2011, by the United States Secret Service. The complaint alleges, *inter alia*, that the Defendant Funds constitute, or are traceable to property involved in violations of 31 U.S.C. § 5324, or a conspiracy to commit any such violations, and that the Defendant Funds are therefore subject to forfeiture pursuant to 31 U.S.C. § 5317.

Based upon matters of record in this case, it appears that the notice of forfeiture and complaint were served upon the known potential claimants, Prithvi Raj and Sushma Kesar, pursuant to Supplemental Rule G(4)(b), Fed.R.Civ.P.; that neither of the known potential claimants is serving in the armed forces of the United States, and that neither is an infant or incompetent person; that publication has been lawfully made in this matter; that

lawful notice was given to all potential claimants to the Defendant Funds, known or unknown, either through direct notice or by publication; that no claims, answers, or other pleadings have been filed in response to such notice; that no extensions to the applicable time limits have been requested, consented to, or granted by the court; and, that the clerk has entered default, pursuant to Rule 55(a), Fed.R.Civ.P. Accordingly, the court finds and concludes as follows:

1. That process was lawfully executed in this action and returned according to law;
2. That the Defendant Funds were lawfully arrested pursuant to the warrant of arrest *in rem*, pursuant to Rule G(3);
3. That public notice of this forfeiture action was lawfully made on an official government internet forfeiture website for a period of at least 30 consecutive days, pursuant to Rule G(4)(a)(iv)(C);
4. That Prithvi Raj and Sushma Kesar, the known potential claimants, have received direct notice of this forfeiture action, pursuant to Rule G(4)(b);
5. That Prithvi Raj and Sushma Kesar have failed to file a claim, answer, or other responsive pleading, as required by Rule G(5);
6. That neither Prithvi Raj nor Sushma Kesar is serving in the armed forces of the United States, and that neither is an infant or incompetent person;
7. That all other potential claimants to the Defendant Funds were duly notified of the proposed forfeiture through publication, pursuant to Rule G(4)(a); and,
8. That no other person or entity has filed a claim, answer, or other responsive pleading within the time fixed by law.

NOW THEREFORE, based upon the above findings, and the court being otherwise fully advised, it is hereby ORDERED, ADJUDGED, AND DECREED that:

1. All persons claiming any right, title or interest in or to the Defendant Funds are hereby held in default, and any right, title, or interest in the Defendant Funds on the part of any potential claimants are extinguished and forever barred.

2. Default judgment shall be entered by the clerk against all potential claimants to the Defendant Funds, and in favor of the United States.

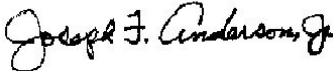
3. Pursuant to 31 U.S.C. § 5317, the Defendant Funds are hereby forfeited, condemned, quit-claimed, and abandoned to the United States of America.

4. Clear title in and to the Defendant Funds is vested in the United States of America, and no other right, title or interest exists therein. All other claims to the Defendant Funds are hereby forever foreclosed and barred.

5. The Defendant Funds forfeited herein shall be disposed of by the United States as authorized by law.

IT IS SO ORDERED.

February 6, 2012  
Columbia, South Carolina

  
Joseph F. Anderson, Jr.  
United States District Judge